

Remarks

35 U.S.C. § 112 Rejection

The Examiner has rejected claim 1 under 35 U.S.C. § 112 ¶ 2 because the Examiner states that the limitation of "the user" lacks antecedent basis. Accordingly, this limitation has been deleted.

35 U.S.C. § 102 Rejection

The Examiner has rejected claims 1, 2, 4, 5, 8, 9 and 14 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,503,455 to Yang. The Applicants have carefully considered the Examiner's comments regarding each of the references relied upon in the Office Action. Accordingly, the Applicants have amended the claims to overcome all of the Examiner's rejections. Claim 1 has been amended to incorporate the limitations of claims 2, 3, 4 and 5. Claims 6, 14, 16 and 17 have been amended to conform with amended claim 1. Claims 2, 3, 4, 5 and 15 have been cancelled.

Yang does not disclose all of the limitations of Applicants' claims as now presented. Yang discloses cord anchorage grooves 11 for integrating a beaded cushion panel 20 with a curved frame 10. The grooves 11 comprise a channel and a plurality of notches communicating with the channel, so that each loop of the cord 21 fits into two notches and the connecting portion of the channel. Col. 2, lines 15-27. The Examiner states that the cord anchorage grooves 11 comprise an undercut area. Assuming that the Examiner is referring to the unnumbered tabs or extensions that the cords 21 fit around, these tabs do not have an undercut area as required by claim 1. See Figs. 4, 6. Moreover, these tabs do not have rounded tops as also required by claim 1. Thus, the claims are allowable over Yang.

The Examiner has also rejected claims 1, 10 and 11 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 2,864,438 to Levine. However, Levine does not disclose all of the limitations of Applicants' claims as now presented. Levine discloses rectangular splines 40 that are inserted in grooves 39 so that the splines 40 project below the lower face of member 37 into groove 38. Col. 5, lines 21-35. The splines of Levine are not a plurality of teeth as required by claim 1. Moreover, the Levine splines

do not have rounded tops or an undercut area. Thus, the claims are allowable over Levine.

The Examiner has also rejected claims 1, 10 and 12 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,315,364 to Fujita et al. However, Fujita et al. does not disclose all of the limitations of Applicant's claims as now presented. Fujita et al. discloses passing a string (or a thread) 30 through edge portions of a net-shaped skin 10 to fix the net-shaped skin 10 to a holding member 12. Col. 8, lines 46-56. Figure 8 of the Fujita et al. does not disclose teeth with rounded tops and an undercut area. Thus, the claims are allowable over Fujita et al.

35 U.S.C. § 103 Rejections

The Examiner has rejected claims 6, 7, 15, 16 and 17 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,503,455 to Yang. As explained above, Yang does not disclose all of the limitations of claim 1. Claim 1, upon which these claims depend, is allowable. Therefore, additional arguments at this time would be superfluous.

The Examiner has also rejected claim 3 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,503,455 to Yang in view of U.S. Patent No. 5,067,773 to Koa. The limitation of claim 3 has been incorporated into claim 1 by way of the amendment above. Koa discloses a cushion retainer 16 that attaches to a rigid pan 14 in order to secure a cushion 12 to the pan 14. Col. 3, lines 13-21. The cushion 12 is formed from resilient foam and has a vinyl cover 64 attached thereto. Col. 3, line 63 to col. 4, line 12. Lances 52 pierce the vinyl cover flap 66 and enter holes 62 in the rigid pan 14. Col. 4, lines 33-58. The lances 62 extend into the foam body of the cushion 12. Fig. 9. Koa does not disclose a fabric with holes through which teeth protrude to provide a body support surface. Moreover, there is no suggestion or motivation to combine Koa with Yang. Koa teaches a high production technique of assembling the cushion 12, pan 14 and retainer 16 using finger bodies 54 with a plurality of parallel fingers 56 defining spaces 57 therebetween. Col. 4, lines 3-27; col. 5, lines 14-19. Applicants' invention does not require finger bodies for assembly (see Figures 47-53), and it is unclear how Koa could be combined with Yang or what

purpose such a combination would serve. The Examiner's attempt to combine Koa with Yang relies on impermissible hindsight.

The Examiner has also rejected claim 13 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,315,364 to Fujita et al. As explained above, Fujita et al. does not disclose all of the limitations of claim 1. Claim 1, upon which this claim depends, is allowable. Therefore, additional arguments at this time would be superfluous.

The Examiner has also rejected claim 18 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,503,455 to Yang in view of U.S. Patent No. 6,315,364 to Fujita et al. As explained above, Yang and Fujita et al. do not disclose all of the limitations of claim 1. Claim 1, upon which this claim depends, is allowable. Therefore, additional arguments at this time would be superfluous.

Conclusion

None of the prior art of record discloses the limitations of the claims as now presented. Thus, Applicants' claims are allowable. Accordingly, reconsideration and allowance are requested.

Respectfully submitted,



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MARKED-UP VERSION SHOWING CHANGES MADE

1. (Amended) A chair comprising: a frame having a series of grasping members located around a circumference of the frame and a fabric; wherein said series of grasping members secure said fabric to said frame, said fabric providing a body support surface [exposed to the user]; wherein said grasping members comprise teeth extending upward from said frame, said teeth comprising a rounded top, a base and an undercut area along an outside of said teeth; and wherein said fabric comprises holes that said teeth protrude through thereby securing said fabric to said frame.

6. (Amended) The chair according to Claim 1 [5] wherein said fabric is a knit fabric with interlocked threads.

14. (Amended) The chair according to Claim 1 wherein said frame further comprises a raised ridge disposed along an inner circumference of said series of grasping members and a recessed channel disposed between said raised ridge and said series of grasping members that extends to said [a] base of the grasping members.

16. (Amended) The chair according to Claim 6 [15] wherein [said grasping members comprise a rounded top and a base,] said fabric comprises lateral elastomer threads and longitudinal polyester threads, said frame comprises a raised ridge disposed along an inner circumference of said series of grasping members, and said frame comprises a recessed channel disposed between said raised ridge and said series of grasping members that extends to said [a] base of the grasping members.

17. (Amended) The chair according to Claim 16 [15] further comprising a cover which is flexible thereby allowing said cover to be installed onto said frame by flexing the cover onto the frame.